

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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FAEGANN HARLOW,

Plaintiff,

vs.

MTC FINANCIAL, INC.,

Defendant.

2:11-CV-01775-PMP-VCF

ORDER

Defendant MTC Financial, Inc.'s fully briefed Motion to Dismiss Amended Complaint (Doc. #6), clearly establishes that Plaintiff's Amended Complaint fails to state claims upon which relief may be granted. Therefore, Defendant MTC Financial, Inc. is entitled to dismissal of Plaintiff's Amended Complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure.

Additionally, for the reasons set forth in Defendant MTC Financial Inc.'s Response (Doc. #18) to Plaintiff's Motion for Remand (Doc. #13), Plaintiff's Motion to Remand (Doc. #13) must be denied. Finally, as Plaintiff's Sur-Reply (Doc. #17) was not filed with leave of the Court and is not otherwise authorized by the Federal Rules of Civil Procedure, Defendant MTC Financial Inc.'s Motion to Strike (Doc. #19) must be granted.

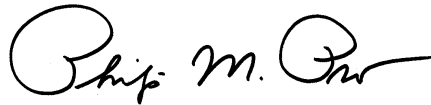
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1 **IT IS THEREFORE ORDERED** that Defendants' Motion to Dismiss
2 Plaintiff's Amended Complaint (Doc. #6) is **GRANTED**.

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4 **IT IS FURTHER ORDERED** that Plaintiff's Motion to Remand (Doc.
5 #13) is **DENIED**.

6 **IT IS FURTHER ORDERED** that Defendant's Motion to Strike (Doc.
7 #19) is **GRANTED**.

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9 DATED: January 3, 2012.

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12 PHILIP M. PRO
13 United States District Judge
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